

Motion and Affidavit for Permission to Appeal In Forma Pauperis

David Stebbins

v.

Randal Richardson and Reliable Heat & Air, LLC

Appeal No. _____
District Court or Agency No. 10-3305

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: David Stebbins

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 10-27-2011

My issues on appeal are:

The District Court erred in denying confirmation of the arbitration award, and also in granting summary judgment in favor of the Defendants.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Self-employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____

Child support \$ 0 \$ _____ \$ 0 \$ _____

Retirement (such as social security, pensions, annuities, insurance) \$ 0 \$ _____ \$ 0 \$ _____

Disability (such as social security, insurance payments) \$ 6/4 \$ _____ \$ 674 \$ _____

Unemployment payments \$ 0 \$ _____ \$ 0 \$ _____

Public-assistance (such as welfare) \$ 0 \$ _____ \$ 0 \$ _____

Other (specify): see p.5 \$ 25 \$ _____ \$ 0 \$ _____

Total monthly income: \$ 699 \$ _____ \$ 674 \$ _____

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Reliable Heat & Air, LL	584 Animal Safari Rd, Bra	05/2009 to 06/2009	\$880
Wendy's	915 HWY 65 N, Harrison, LA	06/2008 to 07/2008	\$500
Mullin's Library	315 N McIlory Ave, Fayette	07/2007 to 12/2007	\$375

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. How much cash do you and your spouse have? \$ 0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
First Federal Bank	checking	\$ 972.82	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

I have no noteworthy assets.

Home _____ (Value) _____	Other real estate _____ (Value) _____	Motor vehicle #1 _____ (Value) _____ Make & year: _____ Model: _____ Registration #: _____
Motor vehicle #2 _____ (Value) _____ Make & year: _____ Model: _____ Registration #: _____	Other assets _____ (Value) _____ computer (\$150) _____	Other assets _____ (Value) _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
no creditors _____	_____	_____
_____	_____	_____
_____	_____	_____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
no dependents _____	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 108.75	\$ _____
Are real-estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 20	\$ _____
Home maintenance (repairs and upkeep)	\$ 0	\$ _____
Food	\$ 100	\$ _____
Clothing	\$ 30	\$ _____

Laundry and dry-cleaning	\$ 0	\$
Medical and dental expenses	\$ 0	\$
Transportation (not including motor vehicle payments)	\$ 0	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$
Insurance (not deducted from wages or included in Mortgage payments)	\$ 0	\$
Homeowner's or renter's	\$	\$
Life	\$	\$
Health	\$	\$
Motor Vehicle	\$	\$
Other: _____	\$	\$
Taxes (not deducted from wages or included in Mortgage payments) (specify): <u>none</u>	\$ 0	\$
Installment payments		
Motor Vehicle	\$	\$
Credit card (name): _____	\$	\$
Department Store (name): _____	\$	\$
Other: _____	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$
Other (specify): <u>See attached sheet</u>	\$ 435	\$
Total monthly expenses:	\$ 435	\$

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☒ Yes ☐ No

If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? \$ _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \$ _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

see attached page.

13. State the address of your legal residence.

8527 Hopewell Rd,

Harrison, AR 72601

Your daytime phone number: (870) 743-4386

Your age: 22 Your years of schooling: 15

Your social-security number: ***-**-4148